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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,478	10/24/2001	Mark Kirkpatrick	00583	2319

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EXAMINER

CHOULES, JACK M

ART UNIT PAPER NUMBER

2177

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/000,478

Applicant(s)

KIRKPATRICK ET AL.

Examiner

Jack M Choules

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-24 and 25-32 is/are rejected.
- 7) ☒ Claim(s) 12, 13, 25 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

### DETAILED ACTION

1. Claims 1-32 are presented for examination.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This claim comprises a second look-up-table when the present claim and the claims it depends on do not have a first look-up-table. For the purposes of the art rejection this is interpreted as a look-up-table.

4. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner does not know of a COBRA servant and he assumes it is a typo for a CORBA server if this is so please correct otherwise please explain.

#### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1, 11, 14, 15, 20, 21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Alley, Jr. et al. [hereinafter Alley] US patent NO. 5,687,224.

7. As to claim 1, Alley taught the data processing system comprising: "a first computer" (fig 1, index 14), "a second computer" (fig 1, index 12); "means for transmitting a request..." (col. 22, lines 12-51); "a database..." (col. 7, lines 17-27, fig. 1, index 36 and col. 23, table 10); "a rules engine" (col. 23, lines 20-67)

8. As to claims 20 and 21, Alley taught the data processing system comprising: "a first computer" (fig 1, index 12), "a second computer" (fig 1, index 14); "the second computer transmitting..." (col. 22, lines 12-51); "a database..." (col. 7, lines 17-27, fig. 1, index 36 and col. 23, table 10); "means for executing..." (col. 23, lines 20-67)

9. As to claims 11 and 23, Alley taught, "populated automatically" (col. 22 lines 12-51).

10. As to claims 14 and 15, "look-up-table" (col. 23, table 10).

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

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evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. Claims 16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ally as applied to claims 1 and 21 above.

14. As to claim 16, it would have been obvious to one of ordinary skill in the art at the time of the invention to use data such as expiration time or due date as attribute data as attributes as claimed refer to non-functional descriptive material as this is data that is a mere arrangements of data not performing a specific function.

15. As to claim 24 updating after a time is shown (col. 22, lines 12-51). It would have been obvious to provide for periodic updating which is well known in the art as it could be scheduled for periods of low system demand.

16. Claims 2-10, 22, 17-19 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ally as applied to claims 1 and 21 above, and further in view of Imai et al. [hereinafter Imai] CrispORB: High performance CORBA for System Area Network.

17. As to claims 2, 10, and 22, while in Alley's system the CIRAS computer (fig. 1, index 14) does provide services to the ARMS computer (Fig. 1, index 12), Egawa does not specifically detail a client-server system relationship existing. Imai describes a system including client server application communications (figure 1, page 13).

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18. It would have been obvious to one of ordinary skill in the DP art at the time of the applicant's invention to combine the teachings of Imai and Alley because client server systems and their interfaces are well known and straight forward in there implementation (page 13 Left column first two full paragraphs) facilitating setup of the DP system.

19. Claims 17-19, and 27-32 contain the elements of claims 1-2, 11, 14, 15, 20. 21 and 23 which have been rejected hereinabove and stand rejected over the same art for the same reasons.

20. As to claim 6, Imai details a "COBRA based network" (page 13).

21. As to Claims 3-5 and 7-9, legacy systems are well known in the art and it is known to maintain compatibility and connection to legacy system in order to maintain existing systems and data without the expenditures necessary to redo the systems and data in updated systems and databases.

22. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Egawa et al. [hereinafter Egawa] US patent No. 5,745,694 in view of Imai et al. [hereinafter Imai] CrispORB: High performance CORBA for System Area Network.

23. As to claim 17 and 18, Egawa disclosed the invention substantially as claimed including a data processing system ['DP'] comprising "utilizes a telecommunications network..." (col. 5, lines 13-41); "interfacing a user ..." (col. 4 lines 54-68 and col. 5 lines 60 -67); and "receives the circuit ID number..." (col. 6, lines 1-19).

24. While in Egawa's system the reservation system (fig. 1, index 100) does provide services to video terminal 121, Egawa does not specifically detail client server system relationship

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existing. Imai describes a system including client server application communications (figure 1, page 13).

25. It would have been obvious to one of ordinary skill in the DP art at the time of the applicant's invention to combine the teachings of Imai and Egawa because client server systems and their interfaces are well known and straight forward in there implementation (page 13 Left column first two full paragraphs) facilitating setup of the DP system.

#### ***Allowable Subject Matter***

26. Claims 12, 13, 25, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

27. The following is a statement of reasons for the indication of allowable subject matter: As to claims 12 and 13 the prior art of record does not show or suggest "a first look-up-table for storing circuit type rules associated with telecommunication network circuits" in a system as claimed. As to claims 25 and 26 the prior art of record does not show or suggest "Parsing a string in a look-up-table for determining a telecommunication network circuit type" in a system as claimed.

#### ***Conclusion***

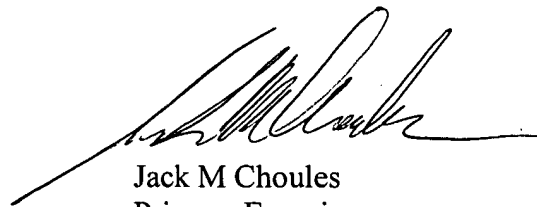
28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lakshman et al. US 6,341,130, containing a teaching showing rules in a look-up-table (col. 5).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack M Choules whose telephone number is (703) 305-9840. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jack M Choules  
Primary Examiner  
Art Unit 2177

JMC